

1877.

NEW ZEALAND.

## GOLD FIELD REGULATIONS

(RETURN OF).

*Presented to both Houses of the General Assembly in accordance with the Provisions of the 110th Section of "The Gold Fields Act, 1866."*

*Suspending certain Mining Regulations on a portion of the Otago Gold Fields.*

(L.S.)

NORMANBY, Governor.

A PROCLAMATION.

WHEREAS by the eleventh section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council, subject to the provisions of this Act, from time to time to make regulations for any gold field or for any portion of a gold field, and to alter, amend, or revoke the same: And whereas it is expedient that the operation of the regulations of the Otago Gold Fields, described in the First Schedule hereto, should be suspended within the limits of the area described in the Second Schedule hereto:

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, do hereby proclaim and declare that the operation of the said regulations mentioned in the First Schedule hereto is hereby suspended from the day of the date hereof within the limits of the area described in the Second Schedule hereto.

## FIRST SCHEDULE.

SECTION 5 of Regulation IV.

Section 5 of Regulation XIII.

Section 2 of Regulation XXV.

## SECOND SCHEDULE.

ALL that piece or parcel of land situate at Hogburn Gully, within the Otago Gold Fields, bounded as follows: Commencing at a point in the centre of the Mount Ida Sludge Channel, at its upper termination; thence by a line 14 chains due east; thence in a southerly direction by a line parallel to and 14 chains distant from the medial line of said channel to a point 14 chains due east of its lower termination; thence by a line due west 28 chains; thence in a northerly direction by a line parallel to and 14 chains distant from the said medial line to a point 14 chains due west of the starting point; and thence by a line 14 chains due east to the starting point.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twelfth day of March, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

*Depasturing Regulations for the Mount Benger Depasturing District.*

(L.S.)

NORMANBY, Governor.

A PROCLAMATION.

WHEREAS by the fourteenth section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor from time to time to make, alter, and revoke regulations for the depasturing

of stock upon any lands within proclaimed gold fields for which a lease or license for depasturing purposes has not been granted, or has been cancelled or suspended, and to regulate the number of horses or cattle which may be run upon such lands by the holders of miners' rights or business licenses, or of mining, mineral, and agricultural leases, and to issue depasturing licenses, and to regulate the fees that shall be paid therefor :

And whereas by Proclamation bearing date the twenty-third day of June, one thousand eight hundred and sixty-eight, made by the then Superintendent of the Province of Otago, with the advice and consent of the Executive Council of the said province, and published in the *Otago Provincial Gazette*, No. 553, under the hand of the said Superintendent, certain regulations were made for the depasturing of stock upon the waste lands of the Crown within the Otago Gold Field :

And whereas by Proclamation bearing date the sixth day of October, one thousand eight hundred and sixty-eight, made by the aforesaid Superintendent, and published in the *Otago Provincial Gazette*, No. 572, the regulations of the twenty-third of June, one thousand eight hundred and sixty-eight, were altered and amended ; and whereas by Proclamation bearing date the tenth day of March, one thousand eight hundred and seventy-six, made by the aforesaid Superintendent, and published in the *Otago Provincial Gazette*, No. 1012, the aforesaid regulations of the twenty-third of June, one thousand eight hundred and sixty-eight, were further altered and amended so far as they relate to the Mount Benger Depasturing District, as the same is constituted and described in the *Otago Provincial Gazette*, No. 595, of the seventeenth day of February, one thousand eight hundred and sixty-nine :

And whereas it is expedient to further amend the said regulations so far as they relate to the Mount Benger Depasturing District aforesaid :

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, in pursuance and exercise of the power and authority enabling me in that behalf, make the regulations hereinafter contained for the depasturing of stock within the Mount Benger Depasturing District, and declare that the said regulations shall take effect from the date hereof, in addition to any other regulations at present in force within such district :—

#### ADDITIONAL REGULATIONS.

1. No sheep or goats shall be depastured on such portion of the commonage as lies to the east of the Pomahaka River.

2. No bull over the age of six months, or entire horse over the age of twelve months, shall be depastured on the common without the consent in writing of the Wardens.

3. Any person or persons desirous to remove cattle from the commonage shall, before doing so, give notice of such intention to the Chairman of the Board, and shall also give particulars of the brands of such cattle, and in removing same shall not drive or take away any other cattle.

4. It shall be lawful for the Board of Wardens to authorize a partial or general muster of the stock on the commonage or any part of it, and the owner or owners of stock being illegally depastured thereon shall be liable for the expenses incurred in so mustering.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom ; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland ; a Member of Her Majesty's Most Honorable Privy Council ; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George ; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same ; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twelfth day of March, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

#### *Constituting the Cardrona Depasturing District, and Regulations for the Depasturing of Stock therein*

(L.S.)

NORMANBY, Governor.

#### A PROCLAMATION.

WHEREAS by the fourteenth section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor from time to time to make, alter, and revoke regulations for the depasturing of stock upon any lands within proclaimed gold fields for which a lease or license for depasturing purposes has not been granted, or has been cancelled or suspended, and to regulate the number of horses or cattle which may be run upon such lands by the holders of miners' rights or business licenses, or of mining, mineral, and agricultural leases, and to issue depasturing licenses, and to regulate the fees that shall be paid therefor : And whereas it is expedient that regulation should be made for the depasturing of stock upon that part of the waste lands of the Crown within the Otago Gold Field known as the Cardrona District :

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, do hereby, in pursuance and exercise of the power and authority enabling me in this behalf, proclaim and declare that, from and after the day of the date hereof, the district specified in the Schedule hereto shall be and is hereby constituted a depasturing district, and the regulations of the twenty-third day of June, one thousand eight hundred and sixty-eight, with the exception of those numbered two, three, four, five, six, fourteen, and fifteen, as the same are published in the *Otago Provincial Government Gazette* No 553 ; and also the regulations of the sixth day of October, one thousand eight hundred and sixty-eight, with the exception of those numbered twenty-one, twenty-two, and twenty-three, shall be the Depasturing Regulations for the said district.

## SCHEDULE.

ALL that area in the Provincial District of Otago, Colony of New Zealand, containing by estimation eight thousand three hundred (8,300) acres, more or less, situate in the Wakatipu Depasturing District. Bounded as follows: Commencing on Boundary Creek No. 2, at its junction with the Cardrona River; thence westerly along the said creek to a point two miles west from Cardrona River; thence south-west in a line parallel to and keeping two miles distant from the western bank of the said river to Blackman's Creek; thence easterly along Blackman's Creek to its junction with the Cardrona River; thence southerly along the said river to the first tributary on the eastern side; thence south-easterly along said tributary towards Queensberry Hill to a point a mile east from Cardrona River; thence in a line parallel to and keeping a mile distant from said river to Boundary Creek No. 1; thence along said creek to its junction with the Cardrona River; and thence north-east along the said river to the starting point.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the seal of the said Colony, at the Government House, at Wellington, this twelfth day of March, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

*Additional Regulation for the Otago Gold Field.*

(L.S.)

NORMANBY, Governor.

A PROCLAMATION.

WHEREAS by the eleventh section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor in Council from time to time to make regulations for any gold field, and that such regulations may be, among other things, for the purpose of determining the cases in which Crown land lawfully and *bonâ fide* used as a yard, garden, cultivated field, or orchard, or upon which any house or other building, or any artificial dam or reservoir, shall be lawfully standing as in the above-named Act mentioned, shall cease to be excepted from occupation for mining purposes, and for prescribing the manner in which compensation shall be ascertained and paid to the person or persons holding or using such land: And whereas it is expedient that a regulation should be made for the purpose above named:

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, do hereby make and prescribe the regulation contained in the Schedule hereunto annexed as an additional regulation to the regulations at present existing in force within the Otago Gold Field, and do also hereby direct that the said additional regulation shall come into force and take effect from the date hereof.

SCHEDULE.

REGULATION XXVI., SECTION 23.

*Withdrawal of Exceptions over Crown Lands.*

WHENEVER auriferous deposits shall be known or supposed to exist within the bounds of any Crown lands within the Otago Gold Field lawfully and *bonâ fide* used as a yard, garden, cultivated field, or orchard, or upon which any house or other building, or any artificial dam or reservoir, shall be lawfully standing, and which are excepted from occupation for mining purposes, and for residence or business under any miner's right or business license, under the provisions of the ninth section of "The Gold Fields Act, 1866," it shall be lawful for any holder of a miner's right to apply in writing to the Warden for permission to occupy the whole or any portion of such lands for mining purposes, and the Warden shall thereupon fix a day, being not less than seven days from the date of such application, for deciding the same, and a copy of such application, with notice of time and place of hearing, shall be served on the occupier of the land in question; and the Warden may, by writing under his hand, order that the whole or any portion of such land shall cease to be excepted from occupation for mining purposes, and shall be given up to such person as shall have applied for the same for mining purposes, upon such terms as to the mode of working the ground, restoration of the soil, or other conditions as he may deem necessary or desirable: Provided that in all cases compensation for actual damage or loss shall be paid to the occupier of such Crown lands by the person desirous of taking possession of the same for mining purposes prior to taking possession thereof; and such compensation may, if the parties cannot agree, be settled by arbitration in manner provided by section eleven of Regulation XXVI. Subject always to the condition that if either of the parties to the arbitration shall fail, neglect, or refuse to appoint an arbitrator within seven clear days after notice given to them by the Warden so to do; or if the arbitrators shall for seven days after notice given to them by the Warden fail, neglect, or refuse to appoint an umpire, then and in any of the said cases the Warden shall appoint such person or persons to be arbitrators or umpire respectively as he may think fit; and the award of the said arbitrators or umpire so appointed shall have the same force and effect, and may be enforced in the same manner, as awards of arbitrators or their umpire made under the said regulation.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and

Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twenty-eighth day of March, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

*Cardrona Depasturing District.—Additional Regulations.*

(L.S.)

NORMANBY, Governor.

A PROCLAMATION.

WHEREAS by a Proclamation made and issued under the authority of the fourteenth section of "The Gold Fields Act, 1866," bearing date the twelfth day of March last past, and published in the *New Zealand Gazette* of the fifteenth day of March aforesaid, a certain district within the Provincial District of Otago was constituted a depasturing district, and certain regulations for the depasturing of stock within the aforesaid depasturing district were also made and proclaimed by the same instrument:

And whereas it is expedient to make other regulations in addition to the regulations heretofore made and published as aforesaid:

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, do hereby, in pursuance and exercise of the power and authority enabling me in this behalf, proclaim and declare that, from and after the day of the date hereof, the depasturing district constituted by the aforesaid Proclamation of the twelfth day of March last, as the same is described in the Schedule annexed to the said Proclamation, shall be named

THE CARDRONA DEPASTURING DISTRICT;

and also that, from and after the day of the date hereof, the following regulations shall take effect within the said depasturing district, in addition to the regulations for the same heretofore made and published as aforesaid.

ADDITIONAL DEPASTURING REGULATIONS.

1. John Kevin, John Fox, John McGrath, Henry Millar, and Ralph Halliday, all of Cardrona, or such other persons as the Governor may from time to time, by warrant, appoint, shall be and are hereby appointed the Board of Wardens for the above-named Cardrona Depasturing District.

2. The said John Kevin shall be the first Chairman of the Board. Every successive Chairman shall be elected by the majority of the votes of the Wardens.

3. In case of the absence of the Chairman, the Wardens present shall appoint one of themselves to preside for the day at any meeting of the Board.

4. The Chairman shall have a casting vote in cases of equality of votes.

5. The Receiver of Gold Revenue at Arrowtown for the time being shall be and is hereby appointed to give effect to all Depasturing Regulations in force within the Cardrona Depasturing District, and to see that the same are properly carried out and obeyed.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twenty-ninth day of March, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

*Altering Regulations for the Depasturing of Stock upon certain Waste Lands of the Crown within the Otago Gold Field.*

(L.S.)

NORMANBY, Governor.

A PROCLAMATION.

WHEREAS by the fourteenth section of "The Gold Fields Act, 1866," it is enacted that it shall be lawful for the Governor from time to time to make, alter, and revoke regulations for the depasturing of stock upon any lands within proclaimed gold fields for which a lease or license for depasturing purposes has not been granted, or has been cancelled or suspended, and to regulate the number of horses or cattle which may be run upon such lands by the holders of miners' rights and business licenses, or of mining, mineral, and agricultural leases, or by other persons, and to issue depasturing licenses, and to regulate the fees that shall be paid therefor: And whereas by a Proclamation bearing date the fourth day of March, one thousand eight hundred and seventy-four, and published in the *Otago Provincial Government Gazette*, No. 897, on the fifth day of March, one thousand eight hundred and seventy-four, the Executive Government of the Province of Otago did, by virtue and in exercise

of the powers delegated to them by the Governor in Council in that behalf, make certain regulations under the said fourteenth section of "The Gold Fields Act, 1866," for the depasturing of stock upon the lands described in the First and Second Schedules to the said Proclamation: And whereas it is expedient to alter the said regulations so made by the said Executive Government of the said Province of Otago in certain particulars:

Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, in pursuance and exercise of the power and authority enabling me in that behalf, do hereby proclaim and declare that, from and after the day of the date hereof, the said regulations so made by the said Executive Government of the Province of Otago as aforesaid shall be altered by substituting the Commissioner of Crown Lands for the Provincial District of Otago for the Superintendent wherever the word Superintendent occurs in the said regulations; and I do hereby further proclaim and declare that the said regulations shall henceforth be read and construed as if wherever in the said regulations the word Superintendent occurs the words "Commissioner of Crown Lands for the Provincial District of Otago for the time being" had been inserted in lieu thereof; and I do hereby order and declare that all powers and authorities by virtue hereof and of the said regulations to be exercised by the said Commissioner of Crown Lands shall be so exercised, subject to the consent and approval of the Waste Lands Board of the said Provincial District of Otago.

Given under the hand of His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this sixteenth day of April, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. McLEAN.

GOD SAVE THE QUEEN!

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